

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Sensa Verogna,

Plaintiff,

v.

Twitter, Inc.,

Defendant.

Civil Case No. 1:20-cv-00536-SM

TWITTER, INC.’S OBJECTION TO
PLAINTIFF’S MOTION TO PROCEED ANONYMOUSLY

Defendant, Twitter, Inc. (“Twitter”), by and through its undersigned counsel, Orr & Reno, Professional Association, respectfully objects to the Motion to Proceed Anonymously [Doc. 15] filed by Plaintiff Sensa Verogna (“Plaintiff”). In support of its objection, Twitter states as follows:

1. Twitter and Plaintiff agree that the *Megless* standard governs Plaintiff’s Motion. *Compare* [Doc. 3-1, at 5 n.4] *with* [Doc. 15-1, at ¶ 4]. Under the *Megless* standard, the Court should consider: (1) whether the identity of the litigant has been kept confidential; (2) the reasons disclosure is feared or sought to be avoided, and the substantiality of these reasons; (3) the public interest in maintaining the confidentiality of the litigant’s identity, versus the public interest in knowing the litigant’s identity; (4) the undesirability of an outcome adverse to the litigant and attributable to his refusal to pursue the case at the price of being publicly identified; (5) whether the litigant has illegitimate ulterior motives; and (6) whether the

opposition to the litigant's use of a pseudonym by counsel, the public, or the press is illegitimately motivated. *See Doe v. Trustees of Dartmouth College*, No. 18-cv-040-LM, 2018 WL 2048385, at *4-5 (D.N.H. May 2, 2018) (quoting *Doe v. Megless*, 654 F.3d 404 (3d Cir. 2011)). Twitter simply asks that the Court undertake that analysis.

2. Accordingly, Twitter respectfully requests that the Court evaluate Plaintiff's request under the *Megless* standard to determine whether proceeding anonymously is justified under the circumstances.

3. Twitter does not file a memorandum of law herewith as all authority in support of its objection is cited herein.

WHEREFORE, the Defendant, Twitter, Inc., respectfully requests that this Honorable Court:

- A. Apply the *Doe v. Megless*, 654 F.3d 404 (3d Cir. 2011) standard in ruling on Plaintiff's Motion to Proceed Anonymously [Doc. 15]; and
- B. Grant such other and further relief as the Court deems just.

Respectfully submitted,

Twitter, Inc.

By its attorneys,

Dated: June 29, 2020

By: /s/ Jonathan M. Eck
Jonathan M. Eck, Esq. (NH Bar #17684)
Orr & Reno, Professional Association
45 S. Main Street, P.O. Box 3550
Concord, NH 03302
(603) 223-9100
jeck@orr-reno.com

Julie E. Schwartz, Esq. (*motion for pro hac vice
admission pending*)
Perkins Coie LLP
3150 Porter Drive
Palo Alto, CA 94304-1212
(650) 838-4490
JSchwartz@perkinscoie.com

CERTIFICATE OF SERVICE

I, Jonathan M. Eck, certify that on this date service of the foregoing document was made upon the Plaintiff, *pro se*, via email.

Dated: June 29, 2020

/s/ Jonathan M. Eck
Jonathan M. Eck, Esq. (NH Bar #17684)